

**HAMILTON COUNTY ELECTION COMMISSION
MINUTES OF MEETING
March, 2013**

Call to Order:

Upon notice duly given, Chairman Walden called to order a regularly scheduled meeting of the Hamilton County Election Commission at 8:20 am on March 7, 2013 at the office of the Hamilton County Election Commission, 700 River Terminal Road, Chattanooga, Tennessee

Moment of Silence

Pledge of Allegiance: Chairman Walden

Present at Meeting:

Commissioners Walden, Anderson, Braly, Crangle, Summers and Attorney Clem were present at the meeting, as well as staff of the Election Commission, members of the Media and Auditing Firm.

New Business:

Chairman Walden stated that they wanted to address the issue of the run off.

Attorney Clem stated that he thought they could still meet and discuss it but he recommended they not vote on anything till the next meeting.

Chairman Walden asked if both parties were there and the media could we not go on with the meeting.

Secretary Summers stated they he wasn't sure that would be the issue. The issue would be the notifying the public and to be on the safe side, he also recommended they pass it for five days and get the notice out and have a regular meeting then.

Secretary Summers then made a motion to schedule the meeting within five days just to make sure there is a notice given and then address this issue.

Attorney Clem stated that he also thought this was the best thing to do.

Commissioner Crangle seconded.

Attorney Clem suggested they pick a date for the next meeting

Secretary Summers stated that the most important thing is to determine who these write in votes are for and I'd suggest we direct the staff to accelerate that process, The runoff is April the 9th we need to know by the next meeting if they are valid votes.

Chairman Walden stated that we need to have a motion to set the next meeting.

Commissioner Braly made a motion to have the next meeting on March 13, 2013 @ 8:00am

Secretary Summers seconded.

Chairman Walden stated that even though they are not going to vote if there is anyone who would like to address the commission they may do so now.

Secretary Summers stated that he would like to direct the parties to T.C.A. 2-7-117, because there is a paper ballot provision.

Chairman Walden stated that there were no requests for paper ballots

Assistant Administrator Allen stated that all our ballots are paper.

Chairman Walden stated that he knew that but did it mean anyone who didn't want their ballot ran through a machine.

Secretary Summers stated that he thought it did

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Assistant Administrator Allen stated that he thought that was an old law that wasn't changed. He further stated that there are a different set of laws with paper ballot and optical scan.

Secretary Summers asked Assistant Administrator Allen if he knew of any other paper ballots other than what we run through the machine?

Assistant Administrator Allen stated that no not since we began using the Optical Scan machines in 98, the write in line was just been added as a part of our ballots. That is one of the reasons the state did the certified write in candidate because we have had to in the past. We used to have to count all the write ins even if it was for Donald duck Mickey Mouse etc..

Chairman Walden stated that at the next meeting we can record what the ballots show officially, and right now they are unofficial results until they are certified.

Nathan Foster (Election Database Programmer) Stated that he thought we needed to look up the definition of a write in candidate, because to him a write in is a choice you make for someone who doesn't appear on the ballot. If that is the case then the outcome is irrelevant cause the two write in candidates who are qualified t run in the race are already on the ballot. When you write in a name it is for someone that is not on the ballot.

Chairman Walden stated that anyone can write anybody's name down on a ballot but the one's that a relevant are the two that are qualified, because no one met the requirements to be a write in candidate by state law. This is another incident where the the city charter and the state law differ.

Adjournment

Secretary Summers made a motion to adjourn

Commissioner Braly seconded

The next meeting is scheduled for **Wednesday March 13, 2013 @8:00**

APPROVED:

Jerry Summers

Secretary

Michael S. Walden

Chairman

James Anderson

Commissioner

Ruth Braly

Commissioner

Tommy Crangle

Commissioner